



EU Statement
Treaty Implementation
Arms Trade Treaty
Seventh Conference of State Parties
Geneva, 30 August – 3 September 2021

Mr. President,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries Turkey, the Republic of North Macedonia*, Montenegro*, Serbia* and Albania*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA countries Iceland, Norway, members of the European Economic Area, as well as Georgia align themselves with this statement.

The EU underlines the essential contribution that a responsible arms trade policy makes to the maintenance of international peace and security and respect for human rights and international humanitarian law. Since the adoption of the 2008/944 EU Common Position on arms exports, EU Member States are legally bound to assess license applications for the export of conventional arms against eight criteria. These criteria are in line with the ATT. Among other cases, EU Member States deny licenses whenever there is a clear risk that the export of military technology and equipment might be used for internal repression, contribute to regional instability, or violate international human rights or humanitarian law. The ATT is the first arms-regulation treaty to recognise the link between conventional arms transfers and gender-based violence, mandating that gender based violence be considered in the course of export risk assessments. Its effective implementation can contribute to eliminating violence against women and girls, as set out in Sustainable Development Goal (SDG) target 5.2.

* The Republic of North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.

Following the review of the EU Common Position on arms exports in 2019, the EU and its Member States are currently implementing several concrete follow-up initiatives as announced in the Council Conclusions of 16 September 2019. A searchable online database is now available on the website of the European External Action Service that allows all stakeholders to consult and analyse the data on Member States' arms exports in a user-friendly manner. The EU now has a uniform approach to the export of small arms and light weapons (SALW) and their ammunition. This approach was formalized by a Decision of the European Council on 18 January 2021 establishing a set of common features to which end-user certificates for the export of SALW and their ammunition must conform. The aim of this decision is to prevent the diversion of arms to illicit or unintended users; create a level playing field; and increase clarity for the defence industry and its clients regarding relevant requirements. Finally, the EU is working on a database for licensing officers from Member States that will contain relevant information on destination countries to be used in the licensing decision making process.

The EU Common Military List, based on the Control List of the Wassenaar Arrangement and usually updated on an annual basis, is an important tool to clarify and decide whether a license obligation exists for a specific equipment or technology. The EU Common Military List can be considered a specification of the scope of the Treaty as defined in Articles 2, 3 and 4 of the ATT. In that sense, it can serve as a relevant practical reference tool for States outside the EU as well.

Implementation is a national responsibility, therefore, any assistance that can be provided to States in this regard is both valuable and useful. In this context, the EU will continue its ambitious implementation project on the Promotion of Effective Arms Export Controls, implemented by BAFA and Expertise France. This project has been instrumental in advancing the implementation of the ATT outside the EU, in particular in the establishment of national control systems and national control lists, drafting and reviewing of the legislative and regulatory framework, prevention of diversion, and in the reinforcement of customs and law enforcement. In the future, this project will particularly focus on assisting non-States parties and signatories to prepare for accession to the Treaty.

Thank you, Mr. President.